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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,527	12/03/2003	Kazumi Suga	03500.017776.	3205
5514 7590 09/25/2007 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER IDOWU, OLUGBENGA O	
			ART UNIT 2623	PAPER NUMBER
			MAIL DATE 09/25/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/725,527

Applicant(s)

SUGA, KAZUMI

Examiner

Olugbenga O. Idowu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/14/2004</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. This office action is in response to application number: 10/ 725527 filed on 12/3/2003. Claims 1-10 have been examined and are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10 rejected under 35 U.S.C. 102(e) as being anticipated by Ihara et al, patent number: US 6925209 B2.

As per claims 1 and 10, Ihara teaches a television broadcast receiving apparatus and method comprising:

a receiving unit for receiving television broadcasting waves transmitted in a way that multiplexes program information data together with plural pieces of program data (STB receiving signals, col. 6, lines 17 - 23); and

a print controller for converting the program information data received by said receiving unit into data for printing, and outputting program information to a printer (sending information to printer, col. 6, lines 10 - 16),

wherein said print controller determines a print mode of the program information so that the program information is laid out just on a predetermined number of page(s) (scaling and rasterization for printing on paper, col. 6, lines 56 - 59).

As per claim 2, Ihara teaches a television broadcast receiving apparatus according to claim 1, further comprising a selection unit for selecting a partial piece of program information data of the program information data, wherein said print controller converts the program information data selected by said selection unit into data for printing, and outputs the data for printing to said printer (printing program guide form 5:00 a.m. to 11:00 a.m., col. 7, lines 40 - 45).

As per claim 3, Ihara teaches a television broadcast receiving apparatus according to claim 2, wherein said selection unit respectively selects, from among the plural pieces of program information data, a piece of program information data on an audio-visually enjoyable program, a piece of program information data on a program that is broadcast for a predetermined broadcasting time zone (printing according to time zones, col. 6, lines 10 - 16), or a piece of program information data on a program searched out based on a predetermined condition in said television broadcast receiving apparatus.

As per claim 4, Ihara teaches a television broadcast receiving apparatus according to claim 1, wherein said print controller determines a font size for the program information

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in accordance with the number of programs contained in the program information data and with size information of paper used by said printer (determining font size, col. 6, lines 44 – 48, printing, col. 6, lines 56 - 59).

As per claim 5, Ihara teaches a television broadcast receiving apparatus according to claim 1, wherein said print controller determines a display width for each channel and a font size for the program information so that the program information is laid out just on a predetermined number of page(s) in a way that takes a time axis on one side of a fixed-size sheet and a channel axis of the channel, at which the program is broadcast, on the other side thereof (printing EPG with channel and time on axis, col. 7, lines 40 - 45).

As per claim 6, Ihara teaches a television broadcast receiving apparatus according to claim 5, wherein said print controller performs the control by selectively switching over a plurality of print modes (printing according to print control program, col. 6, lines 32 - 35).

As per claim 7, Ihara teaches a television broadcast receiving apparatus according to claim 6, wherein the plurality of print modes include a first print mode in which the display width for each channel and the font size for the program information are determined so that the program information is laid out just on one page, and a second print mode in which the display width for each channel and the font size for the program information are determined so as to print on a plurality of pages if the number

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of channels related to the program information is larger than a predetermined number of channels (scaling and rasterization for printing on paper, col. 6, lines 56 – 59, size col. 6, lines 44 - 48).

As per claim 8, Ihara teaches a television broadcast receiving apparatus according to claim 7, wherein the plurality of print modes further include a third print mode of controlling so as to print the program information on the fixed-size sheet in a fixed font size (scaling and rasterization, col. 6, lines 56 – 59, size col. 6, lines 44 - 48).

As per claim 9, Ihara teaches a television broadcast receiving apparatus according to claim 8, wherein the plurality of print modes further include a fourth print mode of controlling so as to print the program information on roll paper in a predetermined font size (printing on paper, col. 6, lines 56 – 59).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olugbenga O. Idowu whose telephone number is 571 270 1450. The examiner can normally be reached on Monday to Friday, 7am -5pm Est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571 272 7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

O.I.


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